

REMARKS/ARGUMENTS

Claims 1-16 are pending.

The rejection of claims 1-16 as obvious over U.S. Patent No. 6,859,882 to Fung in view of U.S. Patent No. 5,842,027 to Oprescu et al. is respectfully traversed. "To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." *In re Royka*, 490 F. 2d 981, 180 USPQ 580 (CCPA 1974); MPEP § 2143.03. In the present case, the prior art does not meet this standard.

In response to the first office action, Applicant argued that neither Fung nor Oprescu et al. teach or suggest the technical features of "inspecting current operating modes of the server modules to find a highest-performance server module if the current distribution of power load to the clustered server modules is below a rated power level," or "switching the highest-performance server module to a lower level of operating mode," as recited in independent claims 1, 6 and 12 of the present application. The second Office Action alleges that "the determination of which server module should enter mode 3 state to reduce power consumption implicitly including a determination that server module is currently in a higher power consumption mode," and considers that it would be obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Fung to include the determination whether the current distribution of power load to the components is below a rated power level as taught by Oprescu. Applicant strongly disagrees with the Office Action's comments for the following reasons.

Fung discloses a network server computer system, which comprises a power manager and a plurality of network server computers, each of the network server computers having an activity indicator, the activity indicator having a predicted decrease in server load, a predicted decrease in processor task and a predicted decrease in communication channel bandwidth, the power manager determining operating modes of the network server computers according to the activity indicators of the network server computers. In other words, the operating modes of Fung's network server computers are determined according to the predicted decrease in server load, the predicted decrease in processor task and the predicted decrease in communication channel bandwidth, rather than to whether the network server computers include a highest-performance network server computer (that is first finding a highest-performance server module among the server modules, and then switching the highest-performance server module to a lower level of operating mode). Therefore, in Fung's network server computer system, a network server computer having been switched to a lower level of operating mode is not necessarily the highest-performance network server computer. On the contrary, according to the present invention, only the highest-performance server module has a chance to be switched to a lower level of operating mode.

Since in Fung's network server computer system "which server module should enter mode 3 state" is determined according to the predicted decrease in server load, the predicted decrease in processor task and the predicted decrease in communication channel bandwidth of the network server computers, rather than to whether the network server computers include a highest-performance network server computer, "the determination of which server module should enter mode 3 state to reduce power consumption" does not implicitly or necessarily

include the technical feature of “inspecting and finding a highest-performance server module among the sever modules,” as called for in independent claims 1, 6 and 12. As such, claims 1, 6 and 12 are not obvious over Fung in view of Oprescu et al. Claims 2-5, 7-11 and 13-16 are dependent from claims 1, 6 and 12, and thus patentable over Fung and Oprescu et al. for the same reasons.

Further, Fung describes at column 16, lines 8-17 that an ISS system has to comprise at least a power supply to provide a power sufficient enough for all components to operate normally. However, the present invention discloses a method, which performs a power-load detecting procedure to detect a current distribution of power load by a power supply of the blade server to the clustered server modules in the blade server. Therefore, the fact provided by the Examiner is unreasonable.

Oprescu et al. describe at column 8, lines 1-65 a power manager, which, upon receipt of a power usage request, determines whether a power surplus is sufficient enough to satisfy the power demands. If the power surplus is too low to satisfy the power demands, external power supplies are then actuated, or power supplies of other devices are disconnected. However, the present application discloses a method, which performs a power-initiated operating mode adjusting procedure to switch the highest-performance server module to a lower level of operating mode. Therefore, the fact provided by the Examiner is unreasonable.

Fung further describes at column 21, lines 20-54 that each server has a CPU having a plurality of frequency control registers, which control a clock frequency of the CPU according to a setting value, and a temperature sensor connected to the CPU for changing values of the frequency control registers according to detected temperature values, to control the temperature of the CPU within an acceptable range. However, the present application discloses a method, which performs a power-load detecting procedure to detect a current distribution of power load by a power supply of the blade server to the clustered server modules in the blade server. If the current distribution of power load to the clustered server modules is not below a rated power level, a power-initiated operating mode adjusting procedure is performed and a highest-performance server module is switched to a lower level of operating mode. Specifically, the power-initiated operating mode adjusting procedure is performed by the highest-performance server module itself to execute a TCC process to reduce operation efficiency and power consumption and decrease the operating temperature. Therefore, claims 2 and 3 of the present application detect the temperature of the whole CPU, not just the CPU itself, and use the TTC process, and are different from Fung. The fact provided by the examiner is thus unreasonable.

The combination of the Fung and Oprescu references fails to teach or suggest every limitation of the claims. Accordingly, claims 1-16 are not obvious.

In view of the foregoing remarks, Applicant submits that the present application is in condition for allowance. A Notice of Allowance is therefore respectfully requested.

The Commissioner is hereby authorized during prosecution of this application to charge any fees that may be required (except for patent issue fees required under 37 C.F.R. §1.18) or to credit any overpayment of fees to Deposit Account No. 50-0337. If an extension of time is

required in connection with this paper, please consider this a Petition therefor and charge any fees required to Deposit Account No. 50-0337.

Dated: January 27, 2007

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Miles Yamanaka", followed by a long horizontal line.

Miles Yamanaka

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